

12-26-00

A

12/21/00

jc639 U.S. PRO

Express Mail Label No. EL598673206US

Docket No.: END9 2000 0184 US

NEW UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages this Submission: 3

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

jc641 U.S. PRO
09/746179

12/21/00

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

System and Method for Determining Network Discrete Utilization

and invented by:

HARRY R. GAIL, JR., FREDRICK K. P. KLASSEN, ROBERT M. SILVERMAN

ASSIGNEE: INTERNATIONAL BUSINESS MACHINES CORPORATION
RESIDENCE OF ASSIGNEE: ARMONK, NEW YORK

If a CONTINUATION APPLICATION, check the appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

- 01. ☒ Filing fee as calculated and transmitted as described below
- 02. ☒ Specification having 68 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure
- 03. ☒ Drawing(s) when necessary as prescribed by 35 USC 113)
 - a. ☐ Formal
 - b. ☒ Informal

Number of sheets: 9

09/746179

NEW UTILITY PATENT APPLICATION TRANSMITTAL**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages this Submission:3

Application Elements (Continued)

04. ● Oath or Declaration

- a. ☐ Newly executed (original or copy) ● Not executed
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ● With Power of Attorney ☐ Without Power of Attorney

05. ☐ Incorporation By Reference (usable if box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of accompanying application and is hereby incorporated by reference therein.

06. ☐ Computer Program in Microfiche (Appendix)07. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)

- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

08. ☐ Assignment Papers (cover sheet & document(s))
09. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS citation
12. ☐ Preliminary Amendment
13. ● Acknowledgment postcard
14. ● Certificate of Mailing
- ☐ First Class ● Express Mail (Label No: __EL598673206US)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

NEW UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages this Submission:3

Accompanying Application Parts (Continued)

16. ☐ Additional Enclosures (identify below)

JCE41 U.S. PTO
09/746179
12/21/00

Fee Calculation and Transmittal

CLAIMS AS FILED

For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	22	-20	2	x \$18.00	\$ 36.00
Indep. Claims	9	- 3	6	x \$80.00	\$ 480.00
Multiple Dependent Claims _____					\$
				BASIC FEE	\$ 710.00
Other FEE (Specify purpose)					\$
				TOTAL FILING FEE	\$1,226.00

- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit IBM Corporation Deposit Account No. 09-0457 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of \$1,226.00 as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees as required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 12/20/00

John R. Pivnichny

 Signature

John R. Pivnichny
 Reg. No. 43,001
 IBM Corporation, N50/040-4
 1701 North Street
 Endicott, NY 13760
 Phone: (607) 755-6565

CC:

transmitnew.wpd